

EXHIBIT A

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SAMUEL M. ROBERTS,

Plaintiff,

-VS-

LOS ALAMOS NATIONAL SECURITY, LLC,
AWE, PLC, and
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Defendants,
Third-Party Plaintiffs,

**UNIVERSITY OF ROCHESTER'S
RESPONSE TO MASSACHUSETTS
INSTITUTE OF TECHNOLOGY'S
RULE 36 REQUESTS FOR
ADMISSION**

Civil Case No.: 11-cv-6206(L)

-VS-

UNIVERSITY OF ROCHESTER,

Third-Party Defendant.

Third-Party Defendant, University of Rochester (the "University"), by its attorneys, Ward Greenberg Heller & Reidy, LLP, responds to Defendant Massachusetts Institute of Technology's ("MIT") Rule 36 Request for Admission, as follows:

REQUEST FOR ADMISSION NO. 1: The premises where plaintiff's injury occurred were owned by the University of Rochester at all relevant times.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 2: At no time did defendant MIT ever own the premises where plaintiff's injury occurred.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 3: The premises where plaintiff's injury occurred were under the exclusive control of the University of Rochester at all relevant times.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 4: At no time were the premises where plaintiff's injury occurred within the control of defendant MIT.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 5: The light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint was designed by the University of Rochester or its agents and employees.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 6: The light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint was not designed by defendant MIT, or its agents and employees.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 7: The light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint was constructed by the University of Rochester or its agents and employees.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 8: The light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint was not constructed by defendant MIT, or its agents and employees.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 9: The light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint was installed by the University of Rochester or its agents and employees.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 10: The light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint was not installed by defendant MIT, or its agents and employees.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 11: At all relevant times, it was the responsibility of the University of Rochester to maintain the light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint, should any maintenance have been necessary.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 12: At no time was defendant MIT responsible for the maintenance of the light pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 13: At all relevant times, it was the responsibility of the University of Rochester to repair the light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint, should any repairs have been necessary.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 14: At no time was defendant MIT responsible for the repair of the light pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 15: At all relevant times, it was the responsibility of the University of Rochester to operate the light-pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 16: At no time was defendant MITT [sic] responsible for the operation of the light pipe diagnostic instrument alleged in paragraphs 18-22 of plaintiff's complaint.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 17: Plaintiff was an employee of the University of Rochester.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 18: At no time during 2008 was plaintiff an employee of defendant MIT.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 19: As an employer of the plaintiff, the University of Rochester was responsible for supervision of the plaintiff at the Laboratory for Laser Energetics ("LLE").

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 20: At no time was defendant MIT responsible for supervision of the plaintiff.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 21: As an employer of the plaintiff, the University of Rochester was responsible for training of the plaintiff at LLE.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 22: At no time was defendant MIT responsible for training the plaintiff.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 23: As an employer of the plaintiff, the University of Rochester was evaluation and review of the plaintiff's employment at LLE.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 24: At no time was defendant MIT responsible for was evaluation and review of the plaintiff's employment or performance at LLE.

RESPONSE: Admitted.

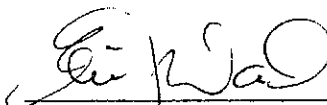
REQUEST FOR ADMISSION NO. 25: Within the OMEGA facility and among the four parties named in this lawsuit as defendants and third-party defendant, the University of Rochester had the sole responsibility for safety.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 26: Defendant MIT was not responsible for safety within the OMEGA facility at LLE.

RESPONSE: Admitted.

Dated: February 27, 2012



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CERTIFICATE OF SERVICE

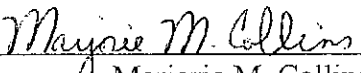
I hereby certify that on February 27, 2012, I served a true and accurate copy of the foregoing University of Rochester's Response to Massachusetts Institute of Technology's Rule 36 Requests for Admission by depositing a true copy, enclosed in a post-paid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York addressed to:

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